

Notice of Allowability

Application No.

10/524,115

Examiner

Michael J. Feely

Applicant(s)

CHOI ET AL.

Art Unit

1796

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 12/14/2007.
2. ☒ The allowed claim(s) is/are 1-5 and 11.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- ☐ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date See Continuation Sheet
- ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
- ☐ Notice of Informal Patent Application
- ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
- ☐ Examiner's Amendment/Comment
- ☐ Examiner's Statement of Reasons for Allowance
- ☒ Other Detailed Action.

Continuation of Attachment(s) 3. Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date:
20050523 (corrected version).

DETAILED ACTION

Pending Claims

Claims 1-5 and 11 are pending.

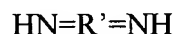
Response to Amendment

1. The rejection of claims 6-10 under 35 U.S.C. 112, second paragraph, has been rendered moot by the cancellation of these claims.
2. The rejection of claims 1-5 and 11 under 35 U.S.C. 112, second paragraph, has been overcome by amendment.
3. The rejection of claims 6-10 under 35 U.S.C. 101/35 U.S.C. 112, second paragraph, has been rendered moot by the cancellation of these claims.
4. The rejection of claim 11 under 35 U.S.C. 101/35 U.S.C. 112, second paragraph, has been overcome by amendment.
5. The rejection of claim 1 under 35 U.S.C. 102(b) as being anticipated by Kovacic (US Pat. No. 2,818,405) has been overcome by amendment.
6. The rejection of claims 6-10 under 35 U.S.C. 103(a) as being unpatentable over Domeier (US Pat. No. 5,364,700) in view of Kovacic (US Pat. No. 2,818,405) has been rendered moot by the cancellation of these claims.
7. The rejection of claims 2-5 and 11 under 35 U.S.C. 103(a) as being unpatentable over Domeier (US Pat. No. 5,364,700) in view of Kovacic (US Pat. No. 2,818,405) has been overcome by amendment.

Response to Arguments

8. Applicant's arguments, in light of the amendments to the claims, have been fully considered and are persuasive. Kovacic does not disclose: the reaction product of a rubber having *imino* groups on both ends of the rubber molecule and a bismaleimide compound.

It should be noted that Applicant's schematic presentation (*see pages 4-5 of the response*) is slightly flawed. The first scheme, involving a primary diamine, does indeed reflect the prior art. However, the second scheme does not accurately reflect the instant invention. A diimino-rubber (*featuring two terminal imino groups*) features a double bond between carbon and nitrogen atoms and should be represented as follows:



(R' represents rubber with terminal carbon atoms).

As with the secondary amine (*as shown in the second scheme on page 5 of the response*), it would appear that the reaction product of an imino-terminated rubber and a bismaleimide would not feature active hydrogen atoms. This feature distinguishes the instantly claimed invention from the modified rubber of Kovacic, which does feature active (*reactive*) hydrogen atoms.

Allowable Subject Matter

9. Claims 1-5 and 11 are allowed.

Communication

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Feely whose telephone number is 571-272-1086. The examiner can normally be reached on M-F 8:30 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Harold Y. Pyon can be reached on 571-272-1498. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



Michael J. Feely
Primary Examiner
Art Unit 1796

January 22, 2008

MICHAEL FEELY
PRIMARY EXAMINER